

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MINES & MINERALS – Mining Lease for Silica Sand over an extent of Acs.51.00 gts., in Sy.No.321 of Kothapatnam Village, Kota Mandal, SPSR Nellore District held by Smt. P. Devasena lapsed under Rule 28 (1) of Mineral Concession Rules, 1960 – Revived – cancellation of revival orders issued in G.O.Ms. No. 149 I&C (MI) Dept., dated 26-11-2013 - Orders – Issued.

INDUSTRIES AND COMMERCE (M-I) DEPARTMENT

G.O.Ms.No. 75

Dated:22.04.2014
Read the following:

1. G.O.Ms.No.269, Inds. & Com. (M.I) Dept, dated 06.11.2004
2. G.O.Ms. No.70, I&C (MI) Dept., dated 05.08.2013.
3. G.O.Ms. No. 149 I&C (MI) Dept, dated 26-11-2013.
4. From the Principal Secretary Industries & Commerce (FP & Textiles) Note dated 03-03-2014.

O R D E R :

In the reference 1st read above, Government have granted the Mining Lease for Silica Sand over an extent of 51.00 acres in Sy. No.321 of Kothapatnam Village, Kota Mandal, SPSR Nellore District in favour of Smt. P. Devasena. The Mining Lease deed was executed on 3-5-2005 and the Asst. Director of Mines & Geology, Nellore has issued work orders on 6.9.2005 and the lease will be in force upto 02-5-2025.

2. In the reference 2nd read above, based on the recommendations of the Director of Mines & Geology, declared the above Mining Lease held by Smt. P. Devasena was lapsed w.e.f. 24-8-2010 under Rule, 28(1) of M.C. Rules, 1960, as the mining operations were not conducted for more than two years.
3. In the ref. 3rd above, the then Secretary to Govt.(Mines) has issued orders reviving the Mining Lease for Silica Sand over an extent of 51.00 acres in Sy. No.321 of Kothapatnam Village, Kota Mandal, SPSR Nellore held by Smt. P. Devasena, subject to condition that the Lessee shall provide the required area for approach road to M/s. Krishnapatnam International Leather Complex Limited through her mining lease area and pending outcome of the Revision application dated 26/08/2013 filed by Smt P. Devasena before the Appellate Authority (Government of India).
4. In the reference 4th read above, the Principal Secretary to Government, I&C (Food Processing & Textiles) has stated that, the Government, through Revenue (ASSN-II) Department advised the District Collector, Nellore to give advance possession of the Government land to an extent of Acs. 485.88 cts. in Sy.No.321 etc. of Kothapatnam village of Kota Mandal to APIIC for establishment of Leather Park pending regular alienation proposals. The presence of mining activity, in the midst of a world class leather park for which GOI grant of Rs. 125 Crores is available to the State and which can generate huge employment and which has huge export potential, is highly detrimental to the entire project and cannot be risked. The KPILC project is promoted by APIIC & LIDCAP which are state PSUs. Significantly leather artisans from SC community who are below poverty line, in the surrounding villages of the project site are expected to benefit from this project. Hence this land is essential for the comprehensive development of Mega Leather Cluster. The master planning was also done considering the

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entire area. Further while applying for environmental clearance to the MoEF this parcel of land was also shown as project land. The Leather Park estimated cost is around 288 Crores. Most of the environmental studies have been completed, public hearing has been completed and securing Environmental Clearance for the project site is in final stage.

5. The Principal Secretary to Government, Industries & Commerce (Food Processing and Textiles) has therefore requested the Government to cancel the reviving orders issued in G.O.Ms. No. 149 I&C (MI) dept., dt. 26-11-2013 and issue fresh orders transferring the land to KPILC immediately.

6. Government after careful examination of the proposal of the Principal Secretary to Government, Industries & Commerce (Food Processing and Textiles), and reviewing the decision made in G.O.Ms.No. 149, Ind. & Com. (M-I) Dept., dt. 26-11-2013 hereby decided to cancel the reviving orders issued in G.O.Ms. No. 149, I&C (MI) Department, dt. 26.11.2013, as it was issued in excess of authority. According to the condition 11 of the Appendix of the Lease Deed (Form K) executed by lessees under Mineral Concession rules, 1960, "the grant (of lease) is liable to be cancelled should it be found it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or in excess of authority". Therefore, Government hereby cancel the reviving orders issued in G.O.Ms.No.149, I&C(M.I) Department, dated 26.11.2013 as it was issued without taking proper approvals as per A.P. Secretariat Business Rules and approved without proper authority.

7. The Director of Mines & Geology and District Collector, SPSR Nellore shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K. PRADEEP CHANDRA
SPECIAL CHIEF SECRETARY TO GOVERNMENT & CIP

To

Smt. P. Devasena,
W/o. Sri P. Siva Kumar Reddy,
7/105, T.P. Street, Gudur,
SPSR Nellore District (RPAD).

The Director of Mines & Geology, Hyderabad (with file)
The Collector & District Magistrate, Nellore, SPSR Nellore District.

Copy to:

PS to Principal Secretary to Govt , I&C (FP &T) Dept.

The Zonal Joint Director of Mines & Geology, Ongole.
The Assistant Director of Mines and Geology, Nellore SPSR Nellore District.

The Secretary to Govt.of India, Ministry of Mines, Sastry Bhavan,
New Delhi-110001.

The Controller General, Indian Bureau of Mines, Indira Bavan,
Civil Lines, Nagpur-440001.

The Director General, Mines Safety, Dhanbad, Jarkand.
The Regional Controller of Mines, Koti, Hyderabad.

SF//SC.(C.No.15992/M.I(2)/2011)

//FORWARDED :: BY ORDER//

SECTION OFFICER